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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,633	09/10/2003	Gary Shapiro	JJH-03-151-GS	5200
28112	7590	01/06/2006	EXAMINER	
GEORGE O. SAILE & ASSOCIATES			NGUYEN, CHI Q	
28 DAVIS AVENUE			ART UNIT	
POUGHKEEPSIE, NY 12603			PAPER NUMBER	
			3635	
DATE MAILED: 01/06/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/659,633

Applicant(s)

SHAPIRO ET AL.

Examiner

Chi Q. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: attachment.

DETAILED ACTION

This Office action is in response to the Applicant's application filed on 9/10/03.

Specification

The disclosure is objected to because of the following informalities: on page 8, line 5; holes 211 are on female flange not on male flange.

Appropriate correction is required.

Claim Objections

Claims 1, 2, are objected to because of the following informalities:

In regard claims 1, 2, -Indentation- should be in a lower case –indentation-.

Correction is required.

In regard claims 2 and 3, -Insert- should be in a lower case –inserted-

In regard claim 3, the examiner believes there is a typographical error on page 6, line 1; it should be read as "said convex protrusions on the said female extension" instead of male extension. Correction is required.

In regard claims 3, 7, the examiner believes the phrase "having on it's surface" should read as "having on its surface". Correction is required.

In regard claims 4, 5, 6, 9 and 10, the claimed preambles are not consistent with their independent claims, 1, 2, 3, 7, and 8, respectively. Correction is required.

In regard claims 4-6, and 9-12, the applicant is advised to delete "the" before "said". Correction is required.

In regard claim 8, the examiner believes there is a typographical error: "tin" should be read as "thin". Correction is required.

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In regard claim 11, the citation "said sheetrock" does not have antecedent basis. Correction is required.

In regard claim 13, since the claim status identifier identified as "new", the applicant is advised to remove underlying. Correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4-6, 9-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 4-6, 9-10, the phrase "may be" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-5, and 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Bullen et al. (US 5,438,810).

In regard claim 1, Bullen teaches a roofing panel comprising at least one side edge of each said panel 1 having a flange extension 30 along at least a portion of a

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length of said side edge; said side edge of said panel which immediately adjoins said flange having a concave female indentation 3 along at least a portion of the length of said side edge; an interior of said concave female indentation having two opposing interior surfaces F, P, one of which is flat F and the other P of which has one or more protrusions (see attached figure 5), with said protrusion directed toward said flat interior; each side edge of said panel not having said flange extension and not having said concave female indentation having instead a male extension (where 10 points to); and said protrusion on said interior wall of said concave female indentation being configured and positioned to mesh with and interface with the male extension upon the male extension being inserted into said concave female indentation (see figure 2).

In regard claim 2, Bullen teaches a roofing panel comprising at least one side edge of each said panel 1 having a flange extension 30 along at least a portion of a length of said side edge; said side edge of said panel which immediately adjoins said flange having a concave female indentation 3 along the length of said side edge; an interior of said concave female indentation having two opposing interior surfaces 4, 5, one of which is flat and the other of which has one or more convex protrusions (see attached figure 5), with said protrusions directed toward said flat interior; and said convex protrusions being capable of being temporarily plastically flexibly displaced or deformed or both, each side edge of said panel not having said flange extension and not having said concave female indentation having instead a male extension (where 10 points to); on said interior wall of said concave female indentation being configured and

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positioned to mesh with and interface with the male extension upon the male extension being inserted into said concave female indentation.

In regard claims 4-5, Bullen teaches the claimed invention as stated, wherein the surface of any said protrusion of the panel is coated (col. 2, line 4).

In regard claims 7, 8, Bullen teaches the claimed invention as stated (see above rejections of claims 1-3) and further teaches the panel is made out of sheet metal (see col. 2, line 3). In regard claims 9-10, (see rejections of claims 4-5 above).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bullen.

In regard method claims 11-13, Bullen teaches the claimed invention as stated except for a method for installation of ceiling panels, examiner considers this to be the obvious method of setting up a device because in installing ceiling panels, one must obviously position a first panel having male and female connecting means, connect a second panel to the first panel by engaging male connecting means into female connecting means, secure the panels by screws. The examiner would like to point out that although Bullen teaches the roofing panels and does not specifically teach the

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panels are for ceiling purposes, however, some houses, e.g. warehouses, do not have ceiling; therefore, the roofing panels taught by Bullen could serve as ceiling panels.

Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bullen in view of Tamura (US 5,553,434).

In regard claim 3, Bullen teaches the claimed invention as stated (see claim 2 above) and further including holes for fasteners 29 inserted and each said flange extending for a minimum width from said side edge of said panel a distance at least wide as the diameter of the head of a screw (see figure 1). And Bullen further teaches the male extension having on its surface one or more protrusions and corresponding convex indentation (where 31 points to). However, Bullen does not teach specifically there are more than one corresponding indentations (more than one) on the male extension surface. Tamura teaches an elongated panel having male extension or flange 20 and having more than one indentations on its surface (see figure 1). At the time of the invention, it would have been obvious to one having an ordinary skill in the art to modify Bullen's roofing panel to have more than one indentations as taught by Tamura. The motivation for doing so would have been to enhance more integrity and better engagement between panels.

In regard claim 6, Bullen teaches the claimed invention as stated wherein the surface of the panel is coated (col. 2, line 4).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Patel, Herrmann, Nath, Francis, Thompson, Dickey, Parth,

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Roberson Culpepper, Christopher, and Whitehouse teach panel system with interconnecting means.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Chi Q. Nguyen whose telephone number is (571) 272-6847, Mon-Thu (7:00-5:30), Fridays off or examiner's supervisor, Carl Friedman can be reached at (571) 272-6842. The examiner's right fax number is (571) 273-6847.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairdirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197.

9/13/2005

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12/22/05

